

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Abin Lowman,)	C/A No.: 1:23-4139-BHH-SVH
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
Capt. Harold; Nurse Harold; and)	
A/W Duffie,)	
)	
Defendants.)	
)	

Plaintiff filed this case on August 18, 2023, alleging violations of his constitutional rights. On January 22, 2024, defendant Duffie¹ filed a motion for summary judgment. [ECF No. 25]. As Plaintiff is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of the motion and of the need for him to file an adequate response by February 22, 2024. [ECF No. 28]. Plaintiff was specifically advised that if he failed to respond adequately, the motion may be granted.

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Plaintiff failed to respond to Duffie's motion. As such,

¹ The undersigned has also issued a Report and Recommendation recommending defendants Capt. Harold and Nurse Harold be dismissed for failure to prosecute. [ECF No. 33].

it appears to the court that he does not oppose the motion and wishes to abandon this case. Based on the foregoing, Plaintiff is directed to advise the court whether he wishes to continue with this case and to file a response to the motion by March 12, 2024. Plaintiff is further advised that if he fails to respond, the undersigned will recommend this case be dismissed for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

February 27, 2024
Columbia, South Carolina


Shiva V. Hodges
United States Magistrate Judge